

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

CAROLYN BETTON, et al.,

Plaintiffs,

v.

ST. LOUIS COUNTY, MISSOURI,

Defendant.

Case No. 405-CV-1455 (JCH)

AFFIDAVIT OF ROBERT G. JOHNSON

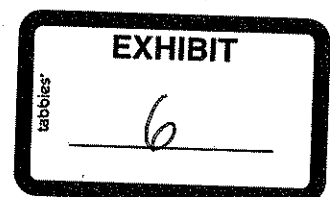
Robert G. Johnson, being duly sworn, states upon his oath as follows:

1. I have practiced in the field of employment law for the past 30 years. As a Trial Attorney with the St. Louis District Office of the Equal Employment Opportunity Commission ("EEOC") from 1979-95, I won trials in individual and class cases in federal courts in Missouri, Illinois, and North Carolina, and I negotiated numerous settlements providing relief for those who suffered employment discrimination.

2. From 1995 to 2007, I served as the Regional Attorney of the EEOC in St. Louis. My office litigated numerous significant cases, large and small, involving employment discrimination based on race, sex, national origin, religion, age, disability, and retaliation.

3. Since May 1, 2007, I have been of counsel to the law firm of Sedey Harper P.C., representing employees in discrimination cases and other employment claims.

4. I received my law degree from New York University, where I was a Root-Tilden Scholar, in 1976. I served as a law clerk to U.S. District Judge Edward R. Neaher in the Eastern District of New York and as a Staff Law Clerk to U.S. Circuit Judge Myron H. Bright of the Eighth Circuit Court of Appeals. I am licensed to practice law in Missouri and admitted to



practice in the U.S. District Court of the Eastern District of Missouri and the Eighth Circuit Court of Appeals. I have received the Clarence Darrow Public Interest Advocate Award from St. Louis University School of Law, and I am a Fellow of the College of Labor and Employment Lawyers. I am on the Executive Board of the St. Louis Chapter of the National Employment Lawyers Association ("NELA"), and I am Vice President of the 8th Circuit NELA.

5. There are very few lawyers in the St. Louis Metropolitan Area who are willing to undertake representation of plaintiffs in employment cases, particularly on a contingent fee basis. Our firm receives as many as twenty-five calls per week from people seeking representation in these cases in Missouri and Illinois, and we turn most of them away because of our existing caseload. Most of those who call are seeking counsel who will handle their matters on a contingent fee basis and very few of them find lawyers to represent them.

6. In order to attract competent counsel who are willing and able to serve plaintiffs with employment discrimination problems, it is necessary to make fee awards to experienced practitioners at rates consistent with those charged by comparable practitioners in the market and to compensate them fully for all time spent in the preparation and trial of these cases. If competent counsel are not fully compensated at reasonable rates for all their work in these matters, it will continue to be extremely difficult for wage earners to attract competent practitioners to represent them in these matters.

7. I have known Ferne Wolf and Eric Sowers for many years as outstanding employment lawyers. I am familiar with their excellent work and reputations. I know that members of both the plaintiff and defense bars hold them in the highest regard for their knowledge of employment law and their skill in litigating employment cases. For several years I worked with Ms. Wolf at the EEOC, and throughout our careers I often have had occasion to

seek and obtain her advice on difficult legal issues.

8. I am familiar with hourly rates charged by attorneys in the St. Louis Metropolitan Area for employment litigation in state and federal courts. The hourly rates requested by Sowers & Wolf, LLC, in this case are reasonable and comparable to market rates in the St. Louis Metropolitan Area for attorneys of similar experience, skill, reputation and ability. Their total fee requested is also reasonable for a case of this complexity.

Robert G. Johnson
Robert G. Johnson

STATE OF MISSOURI)
) SS.
CITY OF ST. LOUIS)

Subscribed and sworn to before me, a notary public, this 22nd day of March,
2010.

J. L. Simpson
Notary Public



J. L. SIMPSON
My Commission Expires
September 16, 2010
St. Louis City
Commission #06427802